IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.1719 OF 2003

Ms.Sindhu T. Dubey ...Petitioner
Vs.
Rashtra Bhasha Prachar Mandal through
the Secretary & Ors. ...Respondents

Mr.M.S.Lagu for Petitioner
Mr.R.M. Patne, A.G.P. for Respondents 4 & 5
Mr. A.S.Rao for Respondent No.3

CORAM: H.L.GOKHALE &
SMT.R.S.DALVI,JJ.
DATED: 19TH AUGUST, 2005

P.C.

1. Heard Mr. Lagu in support of this Petition. Mr.Rao appears for Respondent No.3 and Mr.Patne, A.G.P. appears for Respondents 4 and 5.

2. The Petitioner herein seeks admission for D.Ed. course through correspondence. She has been denied that admission and therefore, this Petition has been filed. It has however come on record that under the scheme of the State Government formulated on 2nd June 2000 those teachers who were in service prior to 25th November 1997 and who fulfilled all the qualifications alone were/are eligible to take this D.Ed. course by correspondence. The whole idea is to see to it that the teachers in service by the particular date improve their qualification and acquire the necessary qualifications, while continuing in service. In as much as the scheme is meant for

those teachers who were in service on that particular date, only such persons will have to be considered as eligible.

3. As far as the Petitioner is concerned it is seen that she has passed her XIIth standard examination from the Secondary School Board of Uttar Pradesh in 1997. She joined the school as a primary teacher here in Kalyan thereafter. The School is run by Respondent No.1 Society where her father is the Head Master. As per her own form filled in for taking this course it is seen that she has joined the School on 27th January 1998. She has signed this form on 8th October 2004. This form is placed on record of the Secretary of the Trust. Incidentally it is her father who is Secretary of the Trust. The form is signed by her at the bottom thereon. In view of this admission of the Petitioner it is clear that she was not in service on 25th November 1997 and hence, not eligible to take this postal course for D.Ed. Petition is therefore dismissed.

4. This Petition is a clear case of dishonesty. The Petitioner was not in the State of Maharashtra until June or July 1997 when she completed her education in Uttar Pradesh. She comes down here and joins in the School run by her father and on that footing she is seeking a seat in a scheme which is beneficial for the teachers who were in service from a

particular date. At another place the Petitioner's father has tried to show that the Petitioner had joined earlier. Thus at one place it is sought to be shown that she had joined at an earlier point of time and at another place another date is given so that it is shown that she has completed 18 years of age. This is nothing but manipulation of record. Petition is therefore dismissed.

(H.L. GOKHALE,J.)

(SMT. R.S. DALVI, J.)